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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,444	01/24/2005	Lawrence D. Weiss	374.37564A00/GNS	6678
28970	7590	06/03/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN LLP			NELSON, FREDA ANN	
1650 TYSONS BOULEVARD			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			3639	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/807,444	Applicant(s) WEISS ET AL.	
	Examiner Freda A. Nelson	Art Unit 3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/25/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-97 is/are pending in the application.
- .4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-97 is/are rejected.
- 7) ☒ Claim(s) 23-24 and 56 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to the communication filed on April 25, 2001 wherein:

Claims 1-2, 5-6, 18 and 23 have been amended; Claims 25-97 have been added; and Claims 1-97 are currently pending.

Claim Objections

1. Claims 23-24 are objected to because of the following informalities:
2. In claims 23-24, line 5, respectively, insert "image" before "reflects"; and
3. In claim 56, line 2, insert "a" before "clear".

Appropriate correction is required. ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 8 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.
5. In claims 8 and 18, the examiner is unable to determine how the system determines how much a customer "should pay".
- 6.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 1 recites the limitation "the purchase" and "the consumer's needs" in lines 6 and 8, respectively. There is insufficient antecedent basis for these limitations in the claim.
8. Claim 2 recites the limitation "the group" in line 2. There is insufficient antecedent basis for this limitation in the claim.

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9. Claims 5-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5-6 are incomplete

10. Claim 8 recites the limitation "the purchase" in line 6. There is insufficient antecedent basis for these limitations in the claim.

11. Claim 9 recites the limitation "the user" and "the appropriate time" in lines 3-4, respectively. There is insufficient antecedent basis for these limitations in the claim.

12. Claim 13 recites the limitation "the single integrated" in line 2. There is insufficient antecedent basis for these limitations in the claim.

13. Claims 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 16-17 depend on claim 8, a system. However, the preamble of claims 16-17 define a method.

14. Claim 18 recites the limitation "the purchase" in line 5. There is insufficient antecedent basis for these limitations in the claim.

15. Claim 21 recites the limitation "the purchase" in line 5. There is insufficient antecedent basis for these limitations in the claim.

16. Claim 23 recites the limitation "the database" in line 2. There is insufficient antecedent basis for these limitations in the claim.

17. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim depends on claim 21, a method. However, the preamble of claim 23 defines a system.

18. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 29 depends on claim 1, a system. However, the claim language discloses a method.

19. Claim 57 recites the limitation "the action button" in line 1. There is insufficient antecedent basis for these limitations in the claim

20. Claim 57 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 57, what does the applicant mean by the claim language "such as"?

21. Claim 93 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 93, what does the applicant mean by the claim language "an expensive good?"

Double Patenting

22. Claims 1-24 are provisionally rejected under the judicially created doctrine of double patenting over claim 1-24 of copending Application No. 09/807,444.

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This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: a system for advising a consumer how much to pay for goods and services comprising:

a user interface for allowing a customer to access a host computer via an on-line network, a host computer which solicits a consumer's objective and subjective criteria for the purchase of goods or services in an interactive, intuitive manner, wherein based on the consumer's needs and access to available data on goods or services, the system generates at least one of options, recommendations, referrals to providers of goods or services, and prices of goods or services, and means for presenting information to the customer.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

21. Claims 1-2, 27, 29, 34, 47-49, 70 and 83 are rejected under 35

U.S.C. 102(b) as being anticipated by Walker et al. (Patent Number 6,249,772).

22. In claims 1 and 49, Walker et al. disclose that user computer 102 is coupled to network 106 via a link 104 which is a line such as a telephone line, an ISDN line, or a modem line or may be any other network connection or line (e.g., T1 or T3) that will allow data communications between a network and a host terminal (col. 8, lines 57-62). Walker et al. further disclose a system for facilitating the sale and distribution of products that includes a data storage system maintaining information related to products including sellers of and prices for the products, and a data processing system operatively coupled to the data storage system wherein the data processing system is configured to receive a request from a buyer to acquire a product, to process the request by querying the data storage system to identify a purchase price and a seller to sell the product to the buyer at the purchase price, to send a notice to the buyer indicating the seller and the purchase price, to receive from the buyer a purchase request including an account identifier identifying an account to be updated based on the purchase price, and to send a purchase confirmation notice to the buyer indicating that the buyer can acquire the product from the seller at the purchase price (col. 5, lines 37-51).

23. In claims 2, 27 and 83, Walker et al. disclose that PEAPOD is an example of an Internet subscription grocery service wherein orders placed over the net are, for a fee, filled by PEAPOD and delivered from a local grocery (col. 3, lines 49-52).

24. In claim 29, Walker et al. disclose that a customer can receive a list of stores which have either the customer's desired product in stock or that typically stock the product (col. 4, line 66 through col. 5, line 3).

25. In claims 34 and 47-48, Walker et al. disclose that in addition to the preferred configuration of a user and a personal computer, user 102 may also operate a WEB-TV device, a telephone, a facsimile or fax machine, a personal digital assistant, a screen-phone or any appropriate device to communicate with central controller 110 (col. 8, lines 44-48).

26. In claim 70, Walker et al. disclose that user computer 102 is coupled to

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network 106 via a link 104 which is a line such as a telephone line, an ISDN line, or a modem line or may be any other network connection or line (e.g., T1 or T3) that will allow data communications between a network and a host terminal (col. 8, lines 57-62). Walker et al. further disclose a system for facilitating the sale and distribution of products that includes a data storage system maintaining information related to products including sellers of and prices for the products, and a data processing system operatively coupled to the data storage system wherein the data processing system is configured to receive a request from a buyer to acquire a product, to process the request by querying the data storage system to identify a purchase price and a seller to sell the product to the buyer at the purchase price, to send a notice to the buyer indicating the seller and the purchase price, to receive from the buyer a purchase request including an account identifier identifying an account to be updated based on the purchase price, and to send a purchase confirmation notice to the buyer indicating that the buyer can acquire the product from the seller at the purchase price (col. 5, lines 37-51).

Claims 7-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Melchione et al. (Patent Number 5,930,764).

In claim 7, Melchione et al. disclose that the workstations utilize the central database to provide information for on-line viewing and report generation through selection of customers or accounts matching given criteria and producing matches with selected data elements (col. 58, lines 50-55); sessions are used to meet with the customer, to discuss the customer's management needs, and to offer products and services to satisfy the customer's needs (col. 15, lines 39-42); the system includes a means for walking users through each step of building a search request (col. 27, lines 13-14); a means inputting a customer's component selection (col. 10, lines 14-15); a means for performing a needs analysis based on the data collected (col. 10, lines 12-13); means for making recommendations based upon the needs assessment; and a means for displaying account information (col. 10, lines 13-14).

27. In claims 8 and 17, Melchione et al. disclose a means for collecting data concerning customer's financial and/or investment situation (col. 10, lines 10-12); a means for adding account components to a single account to build a single account (col. 10, lines 16-18); a means inputting a customer's component selection (col. 10, lines 14-15); a means for performing a needs analysis based on the data collected (col. 10, lines 12-13); means for making recommendations based upon the needs assessment (col. 10, lines 12-13); a means for displaying account information (col. 10, lines 13-14); and a means for linking data fields in each component such that once a piece of data is collected, the data is provided to all appropriate fields (col. 10, lines 26-28).

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28. In claim 9, Melchione et al. disclose that the user may elect not to provide certain information if in her or his judgment, the customer should not be asked to provide the information at that time. Thus, data input will not be required at this step, but some record is made if this step is bypassed so that data can be collected later (col. 47, lines 17-22).

29. In claim 10, Melchione et al. disclose that the system of the present invention includes a "pending file" for storing information that is collected, but not immediately needed (col. 47, lines 29-31).

30. In claim 11, Melchione et al. disclose a system that permits data to flow up and down through the process so that once a salient piece of data is collected, the data is transmitted to every location where it is needed (col. 10, lines 38).

31. In claims 12-15, Melchione et al. disclose that the use of the bank statement motif for the account building display is an important part of this invention and is in accord with the underlying objective of presenting a consistent interface to customers wherein the display shows what the customers bank statement looks like before the account is built. Core components such as checking, savings, IMMA, CD's, retirement, brokerage, line of credit and credit card are included in the example (col. 50-lines 36-43). Melchione et al. further disclose that if the user elects to build a secured credit component, the system will follow the flow shown in FIG. 13J (col. 53, lines 32-33).

32. In claim 16, Melchione et al. disclose that the central database may include information concerning existing customer financial information, information from outside sources, and demographic information about existing and potential customers (col. 7, lines 61-66).

33. In claims 18-20, Melchione et al. disclose a system for opening an account (col. 10, lines 9-10); the central database may include information concerning existing customer financial information, information from outside sources, and demographic information about existing and potential customers (col. 7, lines 61-66); a system that provides Marketing personnel with a dynamic view of a customer's financial and demographic profile during a marketing session (col. 6, lines 4-7); a means for identifying missing data and means for prompting the user to enter data that has not been provided (col. 10, lines 23-24); a means inputting a customer's component selection (col. 10, lines 14-15); a means for performing a needs analysis based on the data collected (col. 10, lines 12-13); means for making recommendations based upon the needs assessment; a means for displaying account information (col. 10, lines 13-14); and a means for linking data fields in each component such that once a piece of data is collected, the data is provided to all appropriate fields (col. 10, lines 26-28).

34. In claims 21-24, Melchione et al. disclose a means for adding account

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components to a single account to build a single account (col. 10, lines 16-18); the central database may include information concerning existing customer financial information, information from outside sources, and demographic information about existing and potential customers (col. 7, lines 61-66); a means for performing a needs analysis based on the data collected (col. 10, lines 12-13); means for making recommendations based upon the needs assessment; a means for displaying account information (col. 10, lines 13-14); a means for making recommendations based upon the needs assessment (col. 10, lines 12-13); most fields in the central database are preferably updated monthly with information captured at month end (col. 7, lines 56-58); and a means for updating the display of facsimile representation of a customer's bank statement (col. 44, lines 1-3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

35. Claims 3, 25-26, 33, 52-54, and 57-58 are rejected under 35 U.S.C.

103(a) as being unpatentable over Walker et al. (Patent Number 6,249,772) in view of Denman (Patent Number 5,737,729).

36. In claims 3, 25-26, 33, and 52-54, Walker et al. does not disclose that the services to be purchased are postal services and the goods to be purchased are postal goods. Denman discloses an independent, stand alone, unattended unit that that interacts with a consumer via a menu driven prompt (col. 3, lines 44-

46). Denman further discloses an interactive kiosk for purchasing and sending post cards or other mail pieces (col. 2, lines 27-28). Therefore, It would have been obvious to one of ordinary skill in the arts at the time the invention was made to modify the invention of Walker et al. to include the feature of Denman et al. in order to provide an interactive kiosk that allows an individual to select and send post cards or mail pieces at one location without worrying about finding another location for buying the appropriate postage or finding a mailbox (Denman; col. 1, lines 58-63).

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37. In claims 57-58, Walker et al. does not disclose that wherein the said system the action button for selecting navigation options, such as touch screen buttons or other prompts, are in a constant location. Walker et al. does not further disclose wherein said system enables users to input extensive alphanumeric data by presenting a standard QWERTY keyboard on the touch screen or terminal display, so users can type data by touching or pointing clicking with a mouse the QWERTY keyboard on the touch screen or terminal display. Denman discloses that the monitor 18 preferably has touch screen capabilities (col. 3, lines 59-61). Denman further discloses that a conventional keyboard 22 is supported on the kiosk housing 12 for a customer interface, although a keyboard may be a feature of the touch screen monitor (col. 3, lines 62-64). Therefore, It would have been obvious to one of ordinary skill in the arts at the time the invention was made to modify the invention of Walker et al. to include the feature of Denman et al. in order to provide an interactive kiosk that allows an individual to select and send post cards by using a touch screen and a keyboard.

38. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249,772) in view of Tagawa (Patent Number 5,732,398).

39. In claim 4, Walker et al. does not disclose that the services to be purchased are telephone services or airlines services. Tagawa discloses a self-service method of selling travel-related services or products such as local tour attractions, local bookings, car rental bookings, local or intrastate tour packages, airline tickets, out-of-state tour packages, cruises, optional tours or cruises, and other shopping options (abstract). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Tagawa in order to sell travel-related services or products by means of an interactive travel service system functioning like a travel agent, to simplify the search process by the system and the decision process by the user (Tagawa; abstract).

40. Claims 5-6 and 73-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249,772) in view of Melchione et al. (Patent Number 5,930,764).

41. In claim 5, Walker et al. does not disclose that the goods to be purchased are mortgages, financial products, financing options, credit cards, insurance or

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cars. Melchione et al. disclose that the central database is a comprehensive and enriched database that includes information about all customers and products in the financial institution, including branch products, bank cards, travel and entertainment cards, student loans, investments, insurance and mortgage products (col. 7, lines 44-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Melchione et al. in order to use targeted marketing to market a wide variety of financial products and services to existing and new customers (Melchione et al; col. 4, lines 8-11).

42. In claim 6, Walker et al. does not disclose that the services to be purchased are financial services. Melchione et al. disclose that full service financial institutions typically offer a wide variety of financial products, including traditional deposit, investment, loan and mortgage accounts, as well as, a variety of financial services, including credit cards, brokerage, direct access, business access, checks as cash, telephone bill payment, and safety check (col. 4, lines 17-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Melchione et al. in order to provide the customer with a wide variety of products.

43. In claims 73 and 75, Walker et al. does not disclose the saving the objective and subjective criteria indicated by the customer. Walker et al. does not further disclose that the objective and subjective criteria are saved at the option of the customer. Melchione et al disclose that the user is given the opportunity to specify key table operations by: 1) specifying if she wants to save the keys produced; and 2) incorporating previously saved keys in the current selection process (col. 30, lines 7-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Melchione et al. in order to permit the customer to save data in order to retrieve the data and use it at another time.

44. In claims 74, Walker et al. does not disclose that the objective and subjective criteria are utilized in a subsequent electronic purchase. Melchione et al. disclose a system that includes a pending file storage means for storing salient data that has been collected, but is not immediately needed so that if the data is needed during a subsequent visit by the customer to the bank, the data can be retrieved without asking the customer to provide data that she or he has already provided (col. 10, lines 53-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Melchione et al. in order to use criteria for another purchase and not have to ask the customer for the same information again.

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45. Claims 50-51 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melchione et al. (Patent Number 5,930,764).

46. In claims 50-51 and 55, Melchione et al. disclose that the workstations utilize the central database to provide information for on-line viewing and report generation through selection of customers or accounts matching given criteria and producing matches with selected data elements (col. 58, lines 50-55); sessions are used to meet with the customer, to discuss the customer's management needs, and to offer products and services to satisfy the customer's needs (col. 15, lines 39-42); the system includes a means for walking users through each step of building a search request (col. 27, lines 13-14); a means inputting a customer's component selection (col. 10, lines 14-15); a means for performing a needs analysis based on the data collected (col. 10, lines 12-13); means for making recommendations based upon the needs assessment; and a means for displaying account information (col. 10, lines 13-14).

47. Claims 28 and 78-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Walker et al. (Patent Number 6,112,185).

48. In claims 28, and 78-82, Walker et al. ('772) does not disclose that the system identifies bids in an auction setting with various probabilities of successfully obtaining the desired goods or services. Walker et al. ('185) disclose that the number of bids received per class per day are displayed, as well as other bid statistics, but the individual bid amounts are not made available to other bidders; and while the Cyber Traveler Auction provides a system for accepting offers for assigned seating, the offers are for an initial reserved seat, and do not permit the airline to obtain incremental revenue from existing confirmed passengers by receiving offers for upgraded services, such as a premium-class seat (col. 2, lines 23-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walker et al. ('772) to include the feature of Walker et al. ('185) in order to let the bidder know his/her odds of obtaining the goods or services.

49. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Walker et al. (Patent Number 6,408,639).

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50. In claim 30, Walker et al. ('772) does not disclose a step by step method of analyzing consumer's or business' objective and subjective needs, and wherein the system filters out options that do not meet consumer's or business' needs. Walker et al. ('639) disclose that the CPOs provided to individual sellers may be filtered or screened in accordance with predefined criteria (col. 11, lines 2-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. ('772) to include the feature of Walker et al. ('639) in order to save the customer time by not having to sort through unwanted or unnecessary products or options.

51. Claims 31-32, 39 and 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Manduley (Patent Number 5,650,934).

52. In claim 31, Walker et al. does not disclose that the system analyzes a consumer's or business' objective and subjective needs and identifies postal rates. Manduley discloses an apparatus and method wherein the apparatus also includes data stores of postal rates and of per item rating characteristics of items of materials used to form mail pieces (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Manduley in order to let the customer know the necessary rates to send postal letters or packages.

53. In claim 32, Walker et al. does not disclose a system which provides public postal transactions to the home, office or other non-public location. Manduley discloses a system for producing and franking moderately sized mail runs of a high quality, and which is suitable for use in an office environment with standard microcomputers and word processing programs (col. 1, lines 5-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Manduley in order to provide the convenience of producing mail pieces suitable for with microcomputers and standard word processing software in an office environment (Manduley; col. 1, lines 6-9).

54. In claim 39, Walker et al. does not disclose a system which includes an attached scale for automatically weighing letters and packages for determining correct postage. Manduley discloses that when a mail piece is to be franked finishing unit controller 100 determines the weight of the mail piece and determines the appropriate postage value for the mail piece (col. 5, lines 49-52). Therefore, it would have been obvious to one of ordinary skill in the art at the

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time the invention was made to modify the invention of Walker et al. to include the feature of Manduley in order to let the customer know the necessary rates in order to send postal letters or packages.

55. In claim 42, Walker et al does not disclose that the system integrates mass mailing management functions selected from the group consisting of mail merge and addressing. Manduley discloses that systems such as that taught by Gombault et al., Baggarly et al. and Axelrod et al. are intended for large scale mailers using mainframe computers and high capacity inserter systems, while windowed envelopes and self-mailers have an unfortunate "junk mail" aspect (col. 1, lines 50-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Manduley in order to provide the customer the convenience of producing moderately sized mail runs(Manduley; lines 55-57).

56. Claims 23-36 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Manduley (Patent Number 5,650,934) in further view of Cordery et al (Patent Number 5,781,634).

57. In claims 33-36 and 43-45, Walker et al. does not disclose that the system manages mailing lists. Manduley discloses and apparatus which includes a second printer which both prints an address on the mail piece envelope and prints a franking indicia on the envelope (col. 2, lines 30-34). Cordery et al. disclose methods and systems for preparing mail pieces involve the creation of mailing lists which includes correct and incorrect recipient address information (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the features of Manduley and Cordery et al. in order to create a system/kiosk which provides several services.

58. Claims 37-38 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (Patent Number 6,249,772) in view of Tavor et al. (Patent Number 6,070,149).

In claims 37-38 and 46, Walker et al. does not disclose which postal services to buy and how much to pay. Walker et al. does not further disclose a

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system wherein said system provides advice on postal services to choose, how much to pay, and indicia of a postage "stamp" to the consumer or business through an on-line network to a terminal device with a printer. Walker et al. still does not further disclose that said system advises which telephone services to buy and what price to pay. Tavor et al. disclose a method for enabling users over a network or over the WWW to interact with an interactive sales representative system for providing sales guidance wherein the system offers the user products, services, or ideas (the "products") according to parameters collected from the user (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Tavor et al. in order to improve sales capabilities and bring better sales results (Tavor et al; abstract).

59. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Sansone et al. (Patent Number 5,909,373).

60. In claim 41, Walker et al. does not disclose an intelligent postal meter which can stand alone or be integrated to another terminal or the user interface and can contact automatically with the host computer through a communications network for information updates. Sansone et al. disclose that Processor 26 will also receive periodic discount rate data updates from the post and periodic mailer contract updates from the post (FIG. 5; col. 3, lines 34-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Sansone et al. in order to keep the postal system in compliance with postal service rules.

61. Claims 71-72, 76-77, 84 and 86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Johnson et al. (Patent Number 6, 067, 525).

62. In claims 71-72, 76-77 and 87, Walker et al disclose that system 100 and the present invention may be configured to allow purchases, in addition to prices establishment, to occur via on line means such as by way of an electronic commerce package (e.g., NETSCAPE COMMUNICATIONS' COMMERCE SERVER software package); and in such an embodiment, user 102 transmits

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payment data to central controller 110, or directly to the merchant. Payment may take the form of a credit card purchase or other electronic payment such as a wire transfer or other form of digital or electronic cash (col. 10, lines 24-34).

63. Walker et al. does not disclose that the purchasing option include cash, lease and financing options and that the customer selects one of the cash, lease, and financing options. Johnson et al. disclose that the finance module 410 also assists the salesperson in providing leasing information to the customer (col. 15, lines 51-52); the finance module 410 provides the ability to apply business rules desired by the company to the proposed financing options presented by the salesperson (col. lines); and a fit your budget engine can also be provided in the finance module 410 which qualifies a customer's purchase price range, monthly payment range or cash down requirements (col. 15, line 67 through col. 16, lines 1-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walker et al. to include the feature of Johnson et al. to provide the customers with several different payment options.

64. In claims 84 and 86, Walker et al. disclose that user computer 102 is coupled to network 106 via a link 104 which is a line such as a telephone line, an ISDN line, or a modem line or may be any other network connection or line (e.g., T1 or T3) that will allow data communications between a network and a host terminal (col. 8, lines 57-62). Walker et al further disclose that system 100 and the present invention may be configured to allow purchases, in addition to prices establishment, to occur via on line means such as by way of an electronic commerce package (e.g., NETSCAPE COMMUNICATIONS' COMMERCE SERVER software package); and in such an embodiment, user 102 transmits payment data to central controller 110, or directly to the merchant. Payment may take the form of a credit card purchase or other electronic payment such as a wire transfer or other form of digital or electronic cash (col. 10, lines 24-34).

65. Walker et al. does not disclose a rule-based expert system recommending at least one of the purchase options. Johnson et al. disclose that the expert system 2002, may also be implemented to predict the most successful course of action based on the information available to the system at the time a sales event occurs (col. 33, lines 61-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walker et al. to include the feature of Johnson et al. to provide a more intuitive sales system.

66. In claim 87, Walker et al disclose that the system includes an apparatus for processing a payment for a sale of a product adapted for use by a credit card

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processor that includes a data storage system operated by a credit card processor that is configured to maintain data about products including a buyer account identifier, a product identifier, and a predetermined price corresponding to a particular product (col. 6, lines 15-25).

67. Claim 85 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249,772) in view of Denman (Patent Number 5,737,729) in further view of Johnson et al (6, 067, 525).

68. In claim 85, Walker et al. does not disclose that the rule-based expert system further provides advice to the customer to determine customized product needs. Denman discloses that the microprocessor then displays queries and options for the purchaser to add a personalized message to the post card (abstract). Johnson et al. disclose that the expert system 2002, may also be implemented to predict the most successful course of action based on the information available to the system at the time a sales event occurs (col. lines). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the features of Denman and Johnson et al. in order to provide an intuitive sales system.

69. claims 88-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (Patent Number 6,249, 772) in view of Johnson et al. (Patent Number 6, 067, 525) in further view of Melchione et al. (Patent Number 5,930,764).

70. In claim 88, Walker et al. does not disclose that that the interactive series of questions and prompts generates prompts for certain pieces of data that the such that the user may exercise personal judgment concerning the storage of such data. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Walker et al. to include the feature of Melchione et al. in order to allow the user to skip certain parts of the query process.

71. In claims 89-92, Melchione et al. disclose that the use of the bank statement motif for the account building display is an important part of this invention and is in accord with the underlying objective of presenting a consistent interface to customers wherein the display shows what the customers

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bank statement looks like before the account is built. Core components such as checking, savings, IMMA, CD's, retirement, brokerage, line of credit and credit card are included in the example (col. 50-lines 36-43). Melchione et al further disclose that if the user elects to build a secured credit component, the system will follow the flow shown in FIG. 13J (col. 53, lines 32-33).

72. In claims 93-94 Johnson et al. disclose that the finance module 410 also assists the salesperson in providing leasing information to the customer (col.15, lines 51-52); the finance module 410 provides the ability to apply business rules desired by the company to the proposed financing options presented by the salesperson (col. 15, lines 34-37); and a fit your budget engine can also be provided in the finance module 410 which qualifies a customer's purchase price range, monthly payment range or cash down requirements (col. 15 line 67 through col. 16, lines 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walker et al. to include the feature of Johnson et al. to provide the customers with several different payment options.

73. In claims 95-97, Melchione et al. disclose that the central database is a comprehensive and enriched database that includes information about all customers and products in the financial institution, including branch products, bank cards, travel and entertainment cards, student loans, investments, insurance and mortgage products (col. 7, lines 44-49).

Conclusion

74. The examiner has cited prior art of interest, for example:

- 1) Gifford (Patent Number 6,205,437), which discloses an open network payment system for providing for real-time authorization of payment and purchase transactions.
- 2) Pricescan.com
- 3) Blankenhorn et al., "Web Malls Add Online Purchasing", May 1997, Advertising Age's Business Marketing, Vol. 82, Issue 4.
- 4) Miaolovich, Jill, "QuickXpense introduces automatic pre-population of expense reports", May 08, 1995, Business Wire. New York, Sec. 1, pg. 1.

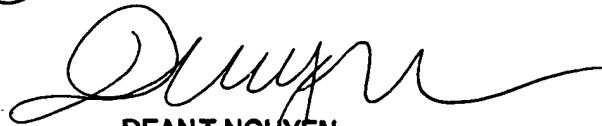
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75. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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FAN 05/13/2005



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